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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,841	10/23/2003	Mohammed Samji	003797.01275	6685
28319 7590 11/01/2007 BANNER & WITCOFF, LTD. ATTORNEYS FOR CLIENT NOS. 003797 & 013797 1100 13th STREET, N.W. SUITE 1200 WASHINGTON, DC 20005-4051			EXAMINER LY, ANH	
			ART UNIT 2162	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/691,841

Applicant(s)

SAMJI ET AL.

Examiner

Anh Ly

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-55 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/1/07, 6/27/07 and 7/26/07</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This Office Action is response to Applicants' AMENDMENT filed on 08/17/2007.
2. Claims 1-55 are pending in this Application.

### ***Response to Arguments***

3. Applicant's arguments, see pages 11-14, filed 08/17/2007, with respect to the rejection(s) of claim(s) 1, 10, 17, 24, 31 and 36 under "determining a sharing format of the list to be shared to the sharee, wherein the sharing format options include at least a static list and dynamic list" have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Pub. No.: US 2003/0212710 A1 to Guy.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pub. No.: US 2004/0148434 A1 to Matsubara in view of Pub. No.: US 2003/0028610 A1 to PEARSON and further in view of Pub. No.: US 20030212710 to Guy.

With respect to claim 1, Matsubara teaches a method for sharing items in a computer system between a sharer and a sharee (a P2P Gnutella technique is a file sharing technique for allowing the user (sharer) to find another users' shared files (sharee): section 0030 also see section 0006) comprising:

executing on the share's computer a query (a P2P user can search/query/find/locate another peer user's shared file on the network: sections 0030 and 0055; also sections 0006-0007 & 0009); and

creating on the sharer's computer a list with a plurality of referenced items (figs. 2A-2C; constructing a "hybrid" P2P virtual directory containing a plurality of shared files to be shared over the network: sections 0072, 0042; also section 0008);

defining the contents of one or more virtual folders on the sharer's computer based on the list, the one or more virtual folders configured to be manipulated by an action of at least the sharer, said manipulation is at least one of dragging, copying and

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pasting (sharing the file with P2P via virtual folders and copying files via download files under P2P: abstract, sections 0008, 0042 and 0061); and

sharing the list with a sharee such that the sharee is provided with access to the referenced items (in the P2P networking technique, the user can obtain a list of peers of other machines including the location and name of files to be shared in order to access the shared files: sections: 0052-0053 and 0007-0008).

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to limit access to a file and access control such as read, write, modify delete... can be based on the individuals or groups and access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the Internet network for peer-to-peer file sharing based on the ACL and access rights to the shared files. Matsubara does not clearly teach a query comprising a scope and criteria and a list with a plurality of referenced items based on the results of said query.

However, PEARSON teaches file sharing systems for sharing file (sections 0002, 0005-0006 and 0008) by searching or querying files or items storing on the file folders or directories (static list) on other computer over the system via a search query defining the scope and the meet criteria to the query against to the folder or directory as a dynamic list (fig. 4, item 106) and the result is returning with a list (a plurality) of files or items meeting the criteria (dynamic list) (items 116 and 120; sections 0030-0033).

Therefore, based on Matsubara in view of PEARSON, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Matsubara with the teachings of PEARSON. One having ordinary skill in the art would have found it motivated to utilize the use of search query to query other machine and the result of query is a list of files or items as disclosed (PEARSON's fig. 4), into the system of Matsubara for the purpose of using in sharing files on a P2P basis among computers on a computer network, thereby, enabling user to track of shared files and authorization of sharing files, such as to enforce copyright rights and other access restrictions that may be imposed on the sharing of data files (PEARSON's sections 0001 and 0005). Combination of Matsubara and PEARSON do not explicitly teach determining a sharing format of the list to be shared to the sharee, wherein the sharing format options include at least a static list and a dynamic list.

However, Guy teaches retrieving the file item based on the scope and meeting the criteria and property of the database and the format for sharing file folder (sections 0292, 0312 and 0357).

Therefore, based on Matsubara in view of PEARSON, and further in view of Guy, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Guy to the system of Matsubara to have a way for determining a sharing format of the list options including a static list and dynamic list as disclosed (Guy's sections 0292 and 357), into the system of Matsubara for the purpose of the dissemination of promotional content via the fulfillment of an

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electronic file request over peer-to-peer or file-sharing networks, thereby, enabling the user of the network to allow to share multiple directories from his/her local and mapped disks with other users over a TCP/IP network and all users' shared files are available to all other users and the Direct Connect provides integrated searching, graphical navigation of files, and public and private chatting (Guy's, section 0009 and 0312).

With respect to claim 2, Matsubara teaches wherein the list is a static list (virtual directory: figs. 2A-2C, sections 0042).

With respect to claims 3-4, Matsubara teaches a method for sharing items in a computer as discussed in claim 1.

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to limit access to a file and access control such as read, write, modify delete... can be based on the individuals or groups and access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the Internet network for peer-to-peer file sharing based on the ACL and access rights to the shared files. Matsubara does not clearly teach removes items from the list and items are added to the list.

However, PEARSON teaches removing file from the shared list (see figs. 18-19, sections 0052 and 0056) and a file is added to the list (sections 0057 and 0058; figs. 25 and 26).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Matsubara with the teachings of PEARSON. One having ordinary skill in the art would have found it motivated to utilize the use of search query to query other machine and the result of query is a list of files or items as disclosed (PEARSON's fig. 4), into the system of Matsubara for the purpose of using in sharing files on a P2P basis among computers on a computer network, thereby, enabling user to track of shared files and authorization of sharing files, such as to enforce copyright rights and other access restrictions that may be imposed on the sharing of data files (PEARSON's sections 0001 and 0005).

With respect to claims 5-7, Matsubara teaches a method for sharing items in a computer as discussed in claim 1.

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to limit access to a file and access control such as read, write, modify delete...can be based on the individuals or groups and access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the Internet network for peer-to-peer file sharing based on the ACL and access rights to the shared files. Matsubara does not clearly teach a dynamic list, criteria of the dynamic list and meets the criteria of the dynamic list.



However, PEARSON teaches locating files or items that meeting the criteria specified by search query to return of a result of a list of files as dynamic list (sections 0031-0033; also see fig. 31 and 36; sections 0059 and 0064).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Matsubara with the teachings of PEARSON. One having ordinary skill in the art would have found it motivated to utilize the use of search query to query other machine and the result of query is a list of files or items as disclosed (PEARSON's fig. 4), into the system of Matsubara for the purpose of using in sharing files on a P2P basis among computers on a computer network, thereby, enabling user to track of shared files and authorization of sharing files, such as to enforce copyright rights and other access retrictions that may be imposed on the sharing of data files (PEARSON's sections 0001 and 0005).

With respect to claims 8-9, Matsubara teaches a method for sharing items in a computer as discussed in claim 1. Also, Matsubara teaches the access type in Access control list (sections 0052, 0065 and 0067).

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to limit access to a file and access control such as read, write, modify delete...can be based on the individuals or groups and access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the Internet network for peer-to-peer file sharing based on the ACL and access rights to the

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shared files. Matsubara does not clearly teach wherein when the sharer is unable to grant access to the sharee for an item, a notification is provided to the sharer; and wherein the sharer is able to limit the type of access that the sharee has to the items.

However, PEARSON teaches user would receive a notice or notification as no file meeting the search query (section 0034) and keeping track of whether sharing of particular files is permitted or restricted (see fig. 7 and sections 0044-0045 and abstract and sections 0005-0006).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Matsubara with the teachings of PEARSON. One having ordinary skill in the art would have found it motivated to utilize the use of search query to query other machine and the result of query is a list of files or items as disclosed (PEARSON's fig. 4), into the system of Matsubara for the purpose of using in sharing files on a P2P basis among computers on a computer network, thereby, enabling user to track of shared files and authorization of sharing files, such as to enforce copyright rights and other access restrictions that may be imposed on the sharing of data files (PEARSON's sections 0001 and 0005).

With respect to claim 10, Matsubara teaches a method for sharing items on a computer system (a P2P Gnutella technique is a file sharing technique for allowing the user to find another users' shared files: section 0030 also see section 0006) comprising:

receiving permission to access a list with referenced items (access control list giving the permission to access to the file and list or peers: sections 0052-0053); and

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the list defines the contents of one or more virtual folders on the sharer's computer (abstract, sections 0008, 0042 and 0061); and

in response to receiving the permission to access the list, accessing the list and the referenced items (receiving the permission to access the file in the folders including a plurality of items such as shared files: figs. 2A-2C; sections 0044 and 0072); wherein the one or more virtual folders are configured to be manipulated by an action of at least the sharer, said manipulation is at least one of dragging, copying and pasting (download file over P2P network: sections: 0008, 0042 and 0061).

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to limit access to a file and access control such as read, write, modify delete...can be based on the individuals or groups and access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the Internet network for peer-to-peer file sharing based on the ACL and access rights to the shared files. Matsubara does not clearly teach a query comprising a scope and criteria and a list with a plurality of referenced items based on the results of said query.

However, PEARSON teaches file sharing systems for sharing file (sections 0002, 0005-0006 and 0008) by searching or querying files or items storing on the file folders or directories (static list) on other computer over the system via a search query (fig. 4, item 106) and the result is returning with a list (a plurality) of files or items meeting the criteria (dynamic list) (items 116 and 120; sections 0030-0033).

Therefore, based on Matsubara in view of PEARSON, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Matsubara with the teachings of PEARSON. One having ordinary skill in the art would have found it motivated to utilize the use of search query to query other machine and the result of query is a list of files or items as disclosed (PEARSON's fig. 4), into the system of Matsubara for the purpose of using in sharing files on a P2P basis among computers on a computer network, thereby, enabling user to track of shared files and authorization of sharing files, such as to enforce copyright rights and other access restrictions that may be imposed on the sharing of data files (PEARSON's sections 0001 and 0005). Combination of Matsubara and PEARSON do not explicitly teach determining a sharing format of the list to be shared to the sharee, wherein the sharing format options include at least a static list and a dynamic list.

However, Guy teaches retrieving the file item based on the scope and meeting the criteria and property of the database and the format for sharing file folder (sections 0292, 0312 and 0357).

Therefore, based on Matsubara in view of PEARSON, and further in view of Guy, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Guy to the system of Matsubara to have a way for determining a sharing format of the list options including a static list and dynamic list as disclosed (Guy's sections 0292 and 357), into the system of Matsubara for the purpose of the dissemination of promotional content via the fulfillment of an

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electronic file request over peer-to-peer or file-sharing networks, thereby, enabling the user of the network to allow to share multiple directories from his/her local and mapped disks with other users over a TCP/IP network and all users' shared files are available to all other users and the Direct Connect provides integrated searching, graphical navigation of files, and public and private chatting (Guy's, section 0009 and 0312).

With respect to claim 11, Matsubara teaches wherein the list is a static list that formed as virtual folder (virtual directory: figs. 2A-2C, sections 0042).

With respect to claims 12 and 14, Matsubara teaches a method for sharing items in a computer as discussed in claim 10.

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to limit access to a file and access control such as read, write, modify delete...can be based on the individuals or groups and access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the Internet network for peer-to-peer file sharing based on the ACL and access rights to the shared files. Matsubara does not clearly teach the permission to access the item is correspondingly added or removed. .

However, PEARSON teaches removing file from the shared list (see figs. 7 and 18-19, sections 0044, 0052 and 0056) and a file is added to the list (sections 0057 and 0058; figs. 25 and 26).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Matsubara with the teachings of PEARSON. One having ordinary skill in the art would have found it motivated to utilize the use of search query to query other machine and the result of query is a list of files or items as disclosed (PEARSON's fig. 4), into the system of Matsubara for the purpose of using in sharing files on a P2P basis among computers on a computer network, thereby, enabling user to track of shared files and authorization of sharing files, such as to enforce copyright rights and other access restrictions that may be imposed on the sharing of data files (PEARSON's sections 0001 and 0005).

With respect to claim 13, Matsubara teaches a method for sharing items in a computer as discussed in claim 10.

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to limit access to a file and access control such as read, write, modify delete...can be based on the individuals or groups and access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the Internet network for peer-to-peer file sharing based on the ACL and access rights to the shared files. Matsubara does not clearly teach where the list is dynamic list that is formed as a virtual folder with a set of criteria for referenced items.

However, PEARSON teaches locating files or items that meeting the criteria specified by search query to return of a result of a list of files as dynamic list (sections 0031-0033; also see fig. 31 and 36; sections 0059 and 0064).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Matsubara with the teachings of PEARSON. One having ordinary skill in the art would have found it motivated to utilize the use of search query to query other machine and the result of query is a list of files or items as disclosed (PEARSON's fig. 4), into the system of Matsubara for the purpose of using in sharing files on a P2P basis among computers on a computer network, thereby, enabling user to track of shared files and authorization of sharing files, such as to enforce copyright rights and other access restrictions that may be imposed on the sharing of data files (PEARSON's sections 0001 and 0005).

With respect to claim 15-16, Matsubara teaches a method for sharing items in a computer as discussed in claim 10. Also, Matsubara teaches the access type in Access control list (sections 0052, 0065 and 0067).

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to limit access to a file and access control such as read, write, modify delete... can be based on the individuals or groups and access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the Internet network for peer-to-peer file sharing based on the ACL and access rights to the

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shared files. Matsubara does not clearly teach wherein when the sharer is unable to grant access to the sharee for an item, a notification is provided to the sharer; and wherein the sharer is able to limit the type of access that the sharee has to the items.

However, PEARSON teaches user would receive a notice or notification as no file meeting the search query (section 0034) and keeping track of whether sharing of particular files is permitted or restricted (see fig. 7 and sections 0044-0045 and abstract and sections 0005-0006 and fig. 2, section 0023 read-only).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Matsubara with the teachings of PEARSON. One having ordinary skill in the art would have found it motivated to utilize the use of search query to query other machine and the result of query is a list of files or items as disclosed (PEARSON's fig. 4), into the system of Matsubara for the purpose of using in sharing files on a P2P basis among computers on a computer network, thereby, enabling user to track of shared files and authorization of sharing files, such as to enforce copyright rights and other access restrictions that may be imposed on the sharing of data files (PEARSON's sections 0001 and 0005).

Claim 17 is essentially the same as claim 10 except that it is directed to a computer readable media rather than a method, and is rejected for the same reason as applied to the claim 10 hereinabove.

Claim 18 is essentially the same as claim 11 except that it is directed to a computer readable media rather than a method, and is rejected for the same reason as applied to the claim 11 hereinabove.



Claim 19 is essentially the same as claim 12 except that it is directed to a computer readable media rather than a method, and is rejected for the same reason as applied to the claim 12 hereinabove.

Claim 20 is essentially the same as claim 13 except that it is directed to a computer readable media rather than a method, and is rejected for the same reason as applied to the claim 13 hereinabove.

Claim 21 is essentially the same as claim 14 except that it is directed to a computer readable media rather than a method, and is rejected for the same reason as applied to the claim 14 hereinabove.

Claim 22 is essentially the same as claim 15 except that it is directed to a computer readable media rather than a method, and is rejected for the same reason as applied to the claim 15 hereinabove.

Claim 23 is essentially the same as claim 16 except that it is directed to a computer readable medium (type of access: Matsubara's sections 0052, 0064 and 0067) rather than a method, and is rejected for the same reason as applied to the claim 16 hereinabove.

With respect to claim 24, Matsubara teaches a method of communicating between a sharer of a list and a sharee (a P2P Gnutella network is a communications model in which each party has the same capability and any party can initiate a communication session; also it is a file sharing technique for allowing the user (sharer) to find another users' shared files (sharee): section 0030 also see sections 0005-0007) comprising:

receiving from the sharee issues-a call for accessing on a computer of the sharer items that are referenced on the list, wherein the list is stored on the sharer's computer, referred in one or more virtual folders on the sharer's computer and stored on the sharer computer (figs. 1 and 3; on the P2P network, each user can initiate a communication session with another party: sections 0005-0007, 0029-30 and 0047-0049; also, sections 0008 and 0042); and

responsive to authorization received from the sharer providing the sharee access to the items and wherein the one or more virtual folders are configured to be manipulated by an action of at least the sharer said manipulation is at least one of dragging, coping and pasting (P2P file sharing system, a software or browser is installed for performing searches of the file properties, such as file name, file type, file size and files can be downloaded directory from one computer to another computer, for selecting files; also, in the P2P networking technique, the user can obtain a list of peers of other machines including the location and name of files to be shared in order to access the shared files and via ACL having access rights to the shared files: sections: 0052-0053 and 0007-0008; download files via P2P network: sections 0042 and 0061).

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to limit access to a file and access control such as read, write, modify delete...can be based on the individuals or groups and access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the

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Internet network for peer-to-peer file sharing based on the ACL and access rights to the shared files. Matsubara does not clearly teach a query comprising a scope and criteria and a list with a plurality of referenced items based on the results of said query.

However, PEARSON teaches file sharing systems for sharing file (sections 0002, 0005-0006 and 0008) by searching or querying files or items storing on the file folders or directories (static list) on other computer over the system via a search query (fig. 4, item 106) and the result is returning with a list (a plurality) of files or items meeting the criteria (dynamic list) (items 116 and 120; sections 0030-0033).

Therefore, based on Matsubara in view of PEARSON, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Matsubara with the teachings of PEARSON. One having ordinary skill in the art would have found it motivated to utilize the use of search query to query other machine and the result of query is a list of files or items as disclosed (PEARSON's fig. 4), into the system of Matsubara for the purpose of using in sharing files on a P2P basis among computers on a computer network, thereby, enabling user to track of shared files and authorization of sharing files, such as to enforce copyright rights and other access restrictions that may be imposed on the sharing of data files (PEARSON's sections 0001 and 0005). Combination of Matsubara and PEARSON do not explicitly teach determining a sharing format of the list to be shared to the sharee, wherein the sharing format options include at least a static list and a dynamic list.

However, Guy teaches retrieving the file item based on the scope and meeting the criteria and property of the database and the format for sharing file folder (sections 0292, 0312 and 0357).

Therefore, based on Matsubara in view of PEARSON, and further in view of Guy, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Guy to the system of Matsubara to have a way for determining a sharing format of the list options including a static list and dynamic list as disclosed (Guy's sections 0292 and 357), into the system of Matsubara for the purpose of the dissemination of promotional content via the fulfillment of an electronic file request over peer-to-peer or file-sharing networks, thereby, enabling the user of the network to allow to share multiple directories from his/her local and mapped disks with other users over a TCP/IP network and all users' shared files are available to all other users and the Direct Connect provides integrated searching, graphical navigation of files, and public and private chatting (Guy's, section 0009 and 0312).

With respect to claim 25, Matsubara teaches wherein the list is a static list (virtual directory: figs. 2A-2C, sections 0042).

With respect to claims 26 and 28, Matsubara teaches a method for sharing items in a computer as discussed in claim 24.

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to limit access to a file and access control such as read, write, modify delete... can be

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based on the individuals or groups and access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the Internet network for peer-to-peer file sharing based on the ACL and access rights to the shared files. Matsubara does not clearly teach the permission to access the item is correspondingly added or removed; allowed or denied.

However, PEARSON teaches removing file from the shared list (see figs. 7 and 18-19, sections 0044, 0052 and 0056) and a file is added to the list (sections 0057 and 0058; figs. 25 and 26).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Matsubara with the teachings of PEARSON. One having ordinary skill in the art would have found it motivated to utilize the use of search query to query other machine and the result of query is a list of files or items as disclosed (PEARSON's fig. 4), into the system of Matsubara for the purpose of using in sharing files on a P2P basis among computers on a computer network, thereby, enabling user to track of shared files and authorization of sharing files, such as to enforce copyright rights and other access restrictions that may be imposed on the sharing of data files (PEARSON's sections 0001 and 0005).

With respect to claim 27, Matsubara teaches a method for sharing items in a computer as discussed in claim 24.

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to

limit access to a file and access control such as read, write, modify delete... can be based on the individuals or groups and access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the Internet network for peer-to-peer file sharing based on the ACL and access rights to the shared files. Matsubara does not clearly teach where the list is dynamic list that is formed as a virtual folder with a set of criteria for referenced items.

However, PEARSON teaches locating files or items that meeting the criteria specified by search query to return of a result of a list of files as dynamic list (sections 0031-0033; also see fig. 31 and 36; sections 0059 and 0064).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Matsubara with the teachings of PEARSON. One having ordinary skill in the art would have found it motivated to utilize the use of search query to query other machine and the result of query is a list of files or items as disclosed (PEARSON's fig. 4), into the system of Matsubara for the purpose of using in sharing files on a P2P basis among computers on a computer network, thereby, enabling user to track of shared files and authorization of sharing files, such as to enforce copyright rights and other access restrictions that may be imposed on the sharing of data files (PEARSON's sections 0001 and 0005).

With respect to claim 29-30, Matsubara teaches a method for sharing items in a computer as discussed in claim 24. Also, Matsubara teaches the access type in Access control list (sections 0052, 0065 and 0067).

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to limit access to a file and access control such as read, write, modify delete... can be based on the individuals or groups and access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the Internet network for peer-to-peer file sharing based on the ACL and access rights to the shared files. Matsubara does not clearly teach wherein when the sharer is unable to grant access to the sharee for an item, a notification is provided to the sharer; and wherein the sharer is able to limit the type of access that the sharee has to the items.

However, PEARSON teaches user would receive a notice or notification as no file meeting the search query (section 0034) and keeping track of whether sharing of particular files is permitted or restricted (see fig. 7 and sections 0044-0045 and abstract and sections 0005-0006 and fig. 2, section 0023 read-only).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Matsubara with the teachings of PEARSON. One having ordinary skill in the art would have found it motivated to utilize the use of search query to query other machine and the result of query is a list of files or items as disclosed (PEARSON's fig. 4), into the system of Matsubara for the purpose of using in sharing files on a P2P basis among computers on a computer network, thereby, enabling user to track of shared files and authorization of

sharing files, such as to enforce copyright rights and other access restrictions that may be imposed on the sharing of data files (PEARSON's sections 0001 and 0005).

Claim 31 is essentially the same as claim 24 except that it is directed to a computer readable media rather than a method, and is rejected for the same reason as applied to the claim 24 hereinabove.

Claim 32 is essentially the same as claims 25 and 27 except that it is directed to a computer readable media rather than a method, and is rejected for the same reason as applied to the claims 25 and 27 hereinabove.

Claim 33 is essentially the same as claims 26 and 28 except that it is directed to a computer readable media rather than a method, and is rejected for the same reason as applied to the claims 26 and 28 hereinabove.

Claim 34 is essentially the same as claim 29 except that it is directed to a computer readable media rather than a method, and is rejected for the same reason as applied to the claim 29 hereinabove.

Claim 35 is essentially the same as claim 30 except that it is directed to a computer readable media (Matsubara: type of access: sections 0052, 0064 and 0067) rather than a method, and is rejected for the same reason as applied to the claim 30 hereinabove.

With respect to claim 36, Matsubara teaches a method for sharing items in a computer system between a sharer and a sharee (a P2P Gnutella technique is a file sharing technique for allowing the user (sharer) to find another users' shared files (sharee): section 0030 also see section 0006) comprising:



executing on the share's computer a query (a P2P user can search/query/find/locate another peer user's shared file on the network: sections 0030 and 0055; also sections 0006-0007 & 0009); and

creating on the sharer's computer a list with a plurality of referenced items (figs. 2A-2C; constructing a "hybrid" P2P virtual directory containing a plurality of shared files to be shared over the network: sections 0072, 0042; also section 0008); and

sharing the one or more virtual folder with a sharee such that the sharee is provided with access to the referenced items from the sharer's computer and wherein the one or more virtual folders are configured to be manipulated by an action of at least the sharer said manipulation is at least one of dragging, coping and pasting (in the P2P networking technique, the user can obtain a list of peers of other machines including the location and name of files to be shared in order to access the shared files: sections: 0052-0053 and 0007-0008; also, download files over P2P network: sections 0042 and 0061).

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to limit access to a file and access control such as read, write, modify delete...can be based on the individuals or groups and access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the Internet network for peer-to-peer file sharing based on the ACL and access rights to the

shared files. Matsubara does not clearly teach a query comprising a scope and criteria and a list with a plurality of referenced items based on the results of said query.

However, PEARSON teaches file sharing systems for sharing file (sections 0002, 0005-0006 and 0008) by searching or querying files or items storing on the file folders or directories (static list) on other computer over the system via a search query (fig. 4, item 106) and the result is returning with a list (a plurality) of files or items meeting the criteria (dynamic list) (items 116 and 120; sections 0030-0033).

Therefore, based on Matsubara in view of PEARSON, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Matsubara with the teachings of PEARSON. One having ordinary skill in the art would have found it motivated to utilize the use of search query to query other machine and the result of query is a list of files or items as disclosed (PEARSON's fig. 4), into the system of Matsubara for the purpose of using in sharing files on a P2P basis among computers on a computer network, thereby, enabling user to track of shared files and authorization of sharing files, such as to enforce copyright rights and other access restrictions that may be imposed on the sharing of data files (PEARSON's sections 0001 and 0005). Combination of Matsubara and PEARSON do not explicitly teach determining a sharing format of the list to be shared to the sharee, wherein the sharing format options include at least a static list and a dynamic list.

However, Guy teaches retrieving the file item based on the scope and meeting the criteria and property of the database and the format for sharing file folder (sections 0292, 0312 and 0357).

Therefore, based on Matsubara in view of PEARSON, and further in view of Guy, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Guy to the system of Matsubara to have a way for determining a sharing format of the list options including a static list and dynamic list as disclosed (Guy's sections 0292 and 357), into the system of Matsubara for the purpose of the dissemination of promotional content via the fulfillment of an electronic file request over peer-to-peer or file-sharing networks, thereby, enabling the user of the network to allow to share multiple directories from his/her local and mapped disks with other users over a TCP/IP network and all users' shared files are available to all other users and the Direct Connect provides integrated searching, graphical navigation of files, and public and private chatting (Guy's, section 0009 and 0312).

With respect to claim 37, Matsubara teaches wherein the virtual folder is a static list (virtual directory: figs. 2A-2C, sections 0042).

With respect to claims 38-39, Matsubara teaches a method for sharing items in a computer as discussed in claim 36.

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to limit access to a file and access control such as read, write, modify delete...can be based on the individuals or groups and access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the Internet network for peer-to-peer file sharing based on the ACL and access rights to the

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shared files. Matsubara does not clearly teach removes items from the list and items are added to the list.

However, PEARSON teaches removing file from the shared list (see figs. 18-19, sections 0052 and 0056) and a file is added to the list (sections 0057 and 0058; figs. 25 and 26).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Matsubara with the teachings of PEARSON. One having ordinary skill in the art would have found it motivated to utilize the use of search query to query other machine and the result of query is a list of files or items as disclosed (PEARSON's fig. 4), into the system of Matsubara for the purpose of using in sharing files on a P2P basis among computers on a computer network, thereby, enabling user to track of shared files and authorization of sharing files, such as to enforce copyright rights and other access restrictions that may be imposed on the sharing of data files (PEARSON's sections 0001 and 0005).

With respect to claims 40-42, Matsubara teaches a method for sharing items in a computer as discussed in claim 36.

Matsubara teaches the file sharing system cooperate with the server system to facilitate manipulations to the virtual directory, which is containing a plurality of referenced items, access control list containing an ordered list of rules and providing to limit access to a file and access control such as read, write, modify delete...can be based on the individuals or groups and access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the

Internet network for peer-to-peer file sharing based on the ACL and access rights to the shared files. Matsubara does not clearly teach a dynamic list, criteria of the dynamic list and meets the criteria of the dynamic list.

However, PEARSON teaches locating files or items that meeting the criteria specified by search query to return of a result of a list of files as dynamic list (sections 0031-0033; also see fig. 31 and 36; sections 0059 and 0064).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Matsubara with the teachings of PEARSON. One having ordinary skill in the art would have found it motivated to utilize the use of search query to query other machine and the result of query is a list of files or items as disclosed (PEARSON's fig. 4), into the system of Matsubara for the purpose of using in sharing files on a P2P basis among computers on a computer network, thereby, enabling user to track of shared files and authorization of sharing files, such as to enforce copyright rights and other access restrictions that may be imposed on the sharing of data files (PEARSON's sections 0001 and 0005).

With respect to claim 43, Matsubara teaches defining within the list an order of the plurality of referenced items (fig. 2A-2C, sections 0042-0047).

With respect to claim 44, Matsubara teaches defining within the list an annotation corresponding to at least one of the plurality of referenced items (fig. 2A-2C, sections 0042-0047).

With respect to claim 45, Matsubara teaches wherein the list comprises a predefined order of the referenced items (fig. 2A-2C, sections 0042-0047).

With respect to claim 46, Matsubara teaches wherein the list comprises an annotation corresponding to at least one of the referenced items (fig. 2A-2C, sections 0042-0047).

Claim 47 is essentially the same as claim 43 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 43 hereinabove.

Claim 48 is essentially the same as claim 44 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 44 hereinabove.

With respect to claim 49, Matsubara teaches wherein the sharee is provided with remote access to the referenced items from another computer (sections 0006-0008)

With respect to claim 50, Matsubara teaches wherein accessing the list and the referenced items is performed remotely from another computer (sections 0006-0008).

With respect to claim 51, Matsubara teaches wherein the request to provide access comprises a request to provide remote access from another computer (sections 0006-0008).

With respect to claim 52, Matsubara teaches, wherein providing the sharee access to the items comprises providing the sharee remote access to the items (sections 0006-0008).

With respect to claim 53, Matsubara teaches wherein the receiving step comprises receiving the call via an API (P2P based interface: sections 0037 and 0051).

With respect to claim 54, Matsubara teaches wherein the set of computer-usable instructions allow the sharee to remotely access the items (sections 0006-0008).

With respect to claim 55, Matsubara teaches wherein in the sharing step the sharee is provided with remote access to the referenced items (sections 0006-0008).

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

### Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANH LY, whose telephone number is (571) 272-4039 or via e-mail: [ANH.LY@USPTO.GOV](mailto:ANH.LY@USPTO.GOV) (written authorization being given by Applicant(s) - MPEP 502.03 [R-2]) or fax to (571) 273-4039 (unofficial fax number directly to examiner's office). The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John Breene**, can be reached on **(571) 272-4107**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to: **Central Fax Center: (571) 273-8300**

ANH LY   
OCT. 21<sup>st</sup>, 2007

  
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